IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.1027 OF 2007

Chandra Shekhar H.Shukla .. Petitioner.
Vs.
The State of Maharashtra & Ors .. Respondents.

Mr.A.R.Pandey for the petitioner.
Ms.P.H.Kantharia APP for the State.
Mr.M.P.Mishra for respondent no.2

CORAM : SMT.RANJANA DESAI &
D.B.BHOSALE, JJ.
DATED : 25TH JUNE, 2007.

P.C.:

. The petitioner is accused in proceedings being C.C.No.208/PW/2005 arising out of C.R.No.493 of 1997 of L.T.Marg police station for the offence punishable U/s. 408, 465, 468, 471, 420 r/w. 34 of IPC, pending before Ld.Metropolitan Magistrate, 47th Court, at Esplanade, Mumbai. In this petition, the petitioner has prayed for quashing of the said proceedings.

2. We have heard learned counsel for the petitioner, learned counsel for respondent no.2, who is the complainant and learned A.P.P. for the State. The learned counsel for the petitioner and learned counsel for the 2nd respondent state that the parties have amicably settled the dispute and affidavit to that effect has been filed by the 2nd

respondent/complainant in this court. The petitioner as well as the 2nd respondent are present in the court. They confirmed that the dispute is settled. In view of this learned counsel for the petitioner and learned counsel for the 2nd respondent state that the criminal proceedings be quashed. On the last occasion we had directed Ms.Kantharia, learned A.P.P. to find out from the concerned officer whether the settlement is genuine. Ms.Kantharia, learned A.P.P. on instructions from the police officer states that the police have recorded the statement of the complainant and the settlement arrived between the petitioner and the complainant is genuine.

3. In view of above and in the light of judgment of the Supreme Court in **B.S.Joshi and Others Vs. State of Haryana (2003) 4 SCC 675** we quash the proceedings being C.C.No.208/PW/2005 arising out of C.R.No.493 of 1997 of L.T.Marg police station for the offence punishable U/s.408, 465, 468, 471, 420 r/w. 34 of IPC, pending before Ld.Metropolitan Magistrate, 47th Court, at Esplanade, Mumbai. The petition is disposed of.

(SMT.RANJANA DESAI, J.)

(D.B.BHOSALE, J.)